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DEFENDANT'S

EXHIBIT

3

Steelcase, Inc. v. Harbin's, Inc.

Multi-Page

Michael G. Harbin - 1/27/05

- 1 A Correct.
- 2 O Okay. And then Retail Enhancement Services, that was
- 4 A I believe it was, or an "S" corporation. I don't
- really remember.
- 6 Q And who all had an ownership interest in that?
- 7 A Myself, an individual named John Doody, and Tom
- Methvin, I believe.
- 9 Q Metham (ph.)?
- 10 A Methvin, M-e-t-h-v-i-n.
- 11 Q Is that still operating?
- 12 A No.
- 13 O And when did that end?
- 14 A I believe in '99 or whatever the last date I had told
- 15
- 16 Q I think you said 1998.
- 17 A '98, '99. I don't know.
- 18 Q And what kind of business was that?
- 19 A It was a stand-alone kind of mini Office Depot.
- 20 Q I'll ask you about that in a minute, but I just don't
- want to lose my train of thought. I was just thinking, 21
- 22 we were just talking about your sale of your future
- 23 interest to myofficeproducts.com.
- 24 A Um-hmm.
- 25 Q What happened to all the other assets?

had mentioned myofficeproducts.com also purchased?

- Does that sound right?
- 3 A It was seven weeks prior --
- 4 Q Prior to April 30th?
- 5 A No, that doesn't sound right. I think I said January
- '04 --
- 7 Q Okav.
- 8 A -- on a particular date is when myofficeproducts charge
- customers went to myofficeproducts.
- 10 Q Okay. And so seven weeks prior to April 30th you had
- 11 your asset sale?
- 12 A The sale was seven weeks in duration, so take April
- 13 30th and back up seven weeks and that's when we
- 14 started.
- 15 Q That helps. I was wondering. I thought how do you
- 16 keep remembering seven weeks prior. Okay. Do you have
- any records of that sale? 17
- 18 A No.
- 19 Q Did you bring in any revenue at that sale?
- 20 A We did.
- 21 Q Didn't you need those records for your taxes this year?
- 22 A We filed a final tax return at the end of that sale.
- 23 Q Where did all the proceeds from that sale go?
- 24 A The bank came in at that time and had taken the
- 25 business over when I explained to them what we were

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- 1 A What assets?
- 2 Q Everything that you used to --
- 3 A As I stated earlier, no assets left Harbin's,
- 4 Incorporated.
- 5 O Okay.
- 6 A Future revenue, whether that be a dollar or ten
- trillion dollars, went to myofficeproducts.
- 8 Q Did you sell your -- all the other assets at another 8
- time? 9
- 10 A The only time we sold our assets, meaning furniture,
- 11 fixtures, inventory, is when a cash-paying customer
- 12 would come in and say, "I want to buy this piece of
- 13 paper." All right. Then we'd say, "All right. It's
- 14 \$2." And that would go into Harbin's, Incorporated.
- 15 If you walked in and wanted to charge, that went to
- 16 myofficeproducts.
- 17 Q Right. But aside from myofficeproducts.com --
- 18 A And then when we had our sale, that's when we sold
- 19 fixtures, furniture and all that kind of stuff.
- 20 O When was that?
- 21 A Seven weeks prior to April 30th, or it was a seven-week
- 22 sale that ended on April 30th.
- 23 Q Of what year?
- 24 A 2004.
- 25 Q Now, seven weeks prior, that's the same date that you

- 1 trying to do, so every day the bank would come in, 2 which was fine with me because I wanted them to know 3 what we were doing was on the up and up.
- 4 They took in all the cash receipts, the
- 5 charge receipts, the count of the money, the authorized 6
- payment of any vendor or any check that we wrote. So 7 the bank came in and essentially took over the company
- at that time. And they would take the money out every
- day and then they'd come back the next day and count
- 10 the cash drawer and check on our A.R.'s and the mail
- 11 that would come in, and they'd post it to the lock box
- 12 they set up and so forth. They collected all the
- 13 receipts and they essentially handled it. We just
- 14 handled the sale.
- 15 Q So they checked all the receipts. Do they have those
- 16 records?
- 17 A They might.
- 18 Q Just for clarification, any proceeds from that sale
- 19 went to the bank?
- 20 A Every proceed from that sale went to Colonial Bank.
- 21 Q Okay. That was a detour. So back to -- what was it?
- 22 Retail Enhancement?
- 23 A Um-hmm. I guess.
- 24 Q Retail Enhancement Services? You said that was a
- 25 stand-alone mini Office Depot, and I think you were Page 66

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